

**AN ORDINANCE AMENDING ARTICLE 26-3-9 OF THE UTAH COUNTY CODE
RELATING TO THE PROPOSAL AND APPROVAL OF AN AGRICULTURAL
PROTECTION AREA**

The County Legislative Body of Utah County ordains as follows:

Part I.

Article 26-3-9 of the Utah County Code is hereby amended to read as follows:

26-3-9. Review of Agriculture Protection Areas.

(a) The County Commission shall ~~perform an initial~~ review of any agriculture protection area created under the authority of this Chapter in the 20th calendar year after it is created ~~to determine whether the agriculture protection area should be continued, modified, or terminated.~~

(b) ~~If the County Commission receives five (5) written complaints from different aggrieved persons within three (3) years of the 20th calendar year after an agriculture protection area or any portion thereof is created or reauthorized, or alternatively the County Commission determines that after the initial review that the agriculture protection area should be modified or terminated, then ~~in~~ the 20th year,~~ the County Commission shall:

(1) request the Planning Commission and Advisory Board to submit recommendations about whether the agriculture protection area should be continued, modified, or terminated;

(2) at least 120 days before the end of the calendar year, hold a public hearing to discuss whether the agriculture protection area should be continued, modified, or terminated;

(3) give notice of the hearing using the same procedure required by Section 26-3-3; and

(4) after the public hearing, continue, modify, or terminate the agriculture protection area.

(5e) If the County Commission modifies or terminates the agriculture protection area, it shall file an executed document containing the legal description of the agriculture protection area with the County Recorder.

(cd) If the County Commission ~~determines after that initial review that the agriculture protection area should be continued or otherwise~~ fails to affirmatively continue, modify, or terminate the agriculture protection area in the 20th calendar year, ~~then~~ the agriculture protection area is considered to be reauthorized for another 20 years.

Part II:

Insert pages reflecting the above amendment, including a title page which bears the enactment date of this ordinance, are hereby ordered to be filed in the copy of the Utah County Code which is on file with the Utah County Clerk/Auditor.

Part III:

If any of the sections, sentences, clauses or provisions of this ordinance shall for any reason be adjudged inapplicable or invalid by a court of competent jurisdiction, such shall not affect or invalidate the remaining portion contained herein.

Part IV:

This ordinance shall become effective fifteen (15) days after its passage, and upon at least one (1) publication in a newspaper published in and having general circulation in Utah County.

PASSED and ordered published this _____ day of _____, 2017.

**BOARD OF COUNTY COMMISSIONERS
UTAH COUNTY, UTAH**

VOTE

WILLIAM C. LEE, CHAIR

GREG GRAVES, COMMISSIONER

NATHAN IVIE, COMMISSIONER

ATTEST:
BRYAN E. THOMPSON
County Clerk/Auditor

APPROVED AS TO FORM:
JEFFREY R. BUHMAN
Utah County Attorney

By: _____
Deputy

_____ Approved _____ Disapproved

By: _____
Deputy

Date of Publication: Once only, as soon as possible.